

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAMES FREEMAN,
Plaintiff,

v.

SUMMERWIND PACIFIC PROPERTIES,
L.P.,
Defendant.

Case No. 20-cv-08293-VKD

**ORDER TO SHOW CAUSE RE
SETTLEMENT**

The Court having been informed that the parties have settled this dispute, all previously scheduled deadlines and appearances are VACATED.

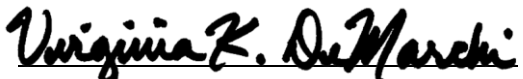
On or before **April 4, 2022**, the parties shall file a stipulated dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Rule 41(a)(1)(A) permits a plaintiff to voluntarily dismiss a case without a court order (i) by notice if the defendant has not filed an answer or motion for summary judgment, or (ii) by stipulation signed by all parties who have appeared. Because defendant has filed both an answer and a motion for summary judgment, the parties must file a stipulated dismissal pursuant to Rule 41(a)(1)(A)(ii).

If a dismissal is not filed by the specified date, then the parties shall appear in Courtroom 2, 5th Floor, 280 South First Street, San Jose, California 95113 on **April 12, 2022 at 10:00 a.m.** and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(a). Additionally, the parties shall file a statement in response to this Order to Show Cause no later than **April 5, 2022** advising as to (1) the status of the activities of the parties in finalizing settlement; and (2) how much additional time, if any, is requested to finalize the settlement and file the dismissal. If a dismissal is filed as ordered, the Order to Show Cause hearing will be

1 automatically vacated and the parties need not file a statement in response to this Order.

2 **IT IS SO ORDERED.**

3 Dated: February 3, 2022

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6 VIRGINIA K. DEMARCHI
7 United States Magistrate Judge
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United States District Court
Northern District of California